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S E C R E T SECTION 1 OF 2 BUENOS AIRES 7732

E.O. 11652: XGDS-2
TAGS: PINR, SHUM, ENRG, TECH, MNUC, AR
SUBJECT: TLALELOLCO TREATY

REF: (A) STATE 242904 (B) BUENOS AIRES 7577 (BOTH NOTAL)

1. SUMMARY: RATIFICATION OF TLALELOLCO HAS ACQUIRED SERIOUS POLITICAL DIMENSIONS AND ITS FATE REMAINS DOUBTFUL. PRESIDENT VIDELA AND RANKING OFFICIALS OF THE ARGENTINE COMMISSION ON ATOMIC ENERGY (CNEA) HAVE INDICATED PRIVATELY THAT THEY ARE NOT OPPOSED TO RATIFICATION BUT THAT IT CANNOT BE DONE WITHOUT HEAVY POLITICAL COST TO THE GOVERNMENT. NATIONALISTIC GROUPS BOTH WITHIN AND WITHOUT THE GOVERNMENT ARE AGAINST RATIFICATION, WHICH IS VARIOUSLY SEEN AS: A FURTHER ENCROACHMENT ON NATIONAL SOVEREIGNTY; A WEAKENING OF ARGENTINA'S POSITION AS A DEVELOPING NUCLEAR POWER VIS A VIS BRAZIL; UNACCEPTABLE BENDING TO U.S. AND FOREIGN PRESSURE; AND A BARGAINING CHIP WHICH SHOULD BE USED TO EXTRACT BETTER TREATMENT FROM THE U.S. CNEA OFFICIALS SAY RATIFICATION IS BEING STUDIED AND A DECISION WILL BE MADE IN TIME TO DISCUSS WITH SECRETARY VANCE ON HIS VISIT TO ARGENTINA IN NOVEMBER. END SUMMARY.

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2. ARGENTINA'S INTENTIONS CONCERNING TLALELOLCO ARE CLOUDED BY SERIOUS POLITICAL IMPLICATIONS. PRESIDENT VIDELA, DURING HIS MEETING WITH PRESIDENT CARTER IN WASHINGTON LAST MONTH, SAID HE WAS NOT OPPOSED TO RATIFICATION BUT THAT IT WOULD REQUIRE

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CAREFUL POLITICAL TIMING. CNEA OFFICIALS HAVE ALSO PRIVATELY INDICATED THAT THEY HAVE NO OBJECTION TO RATIFICATION BUT THAT IT WOULD BE AT SIGNIFICANT POLITICAL COST TO THE VIDELA GOVERNMENT. THE ISSUE IS CURRENTLY BEING STUDIED BY THE ARGENTINE GOVERNMENT AND A DECISION WILL BE MADE IN TIME TO DISCUSS WITH SECRETARY VANCE DURING HIS VISIT IN NOVEMBER, ACCORDING TO CNEA SECRETARY GENERAL JORGE COLL (PROTECT).

3. CHIEF OPPOSITION TO RATIFICATION COMES MAINLY FROM NATIONALISTIC ELEMENTS - BOTH RIGHT AND LEFT WING - FROM BOTH WITHIN AND OUTSIDE THE GOVERNMENT. WHILE IT IS LIKELY THAT THE TREATY IS POORLY UNDERSTOOD BY MANY OF ITS OPPONENTS, IT HAS NEVERTHELESS COME TO BE SEEN AS ANOTHER ISSUE IN THE SENSITIVE AREA OF ARGENTINE NATIONAL SOVEREIGNTY. CNEA OFFICIALS HAVE SAID THAT OPPONENTS TO THE TREATY ARE PRINCIPALLY NATIONALIST ELEMENTS WHO WOULD TAKE ADVANTAGE OF ITS RATIFICATION TO ACCUSE THE CURRENT LEADERSHIP OF SELLING OUT THE COUNTRY'S BASIC INTERESTS. CNEA PRESIDENT ADMIRAL CASTRO MADERO HEIGHTENED SUCH NATIONALISTIC SENTIMENTS RECENTLY BY DECLARING THAT ARGENTINA CANNOT ACCEPT RESTRICTIONS TO DEVELOPMENT OF ITS NUCLEAR PLAN FOR THE SAKE OF NON-PROLIFERATION. (BA 7577). THE BELIEF THAT ADVANCED NUCLEAR POWERS ARE PRESSURING AND DISCRIMINATING AGAINST SMALLER COUNTRIES TO IMPEDE THEIR DEVELOPMENT OF NUCLEAR POWER HAS HELPED TO HARDEN SENTIMENT AGAINST RATIFICATION.

4. CASTRO MADERO HIMSELF HAS PRIVATELY TOLD EMBOFF THAT THE PERSONALLY CANNOT SEE WHY THE USG IS SO INTERESTED IN TLAZELOLCO SINCE THE TREATY PERMITS NUCLEAR EXPLOSIONS FOR PEACEFUL

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PURPOSES, A TYPE OF NUCLEAR CAPABILITY WHICH COULD EASILY BE DIVERTED TO NON-PEACEFUL PURPOSES. AS ARGENTINA HAS EXPRESSED WILLINGNESS TO ACCEPT FULL-SCOPE SAFEGUARDS, CASTRO MADERO CLAIMS THAT THE TREATY WILL NOT BIND ARGENTINA ANY MORE THAN IT WILL ALREADY BE UNDER OTHER SAFEGUARD AGREEMENTS.

5. OTHER OPPONENTS, SERIOUSLY CONCERNED WITH BRAZILIAN INTENTIONS AND EFFORTS IN THE NUCLEAR ENERGY FIELD, CLAIM RATIFICATION WILL FURTHER WEAKEN ARGENTINA'S POSITION AS THE MOST ADVANCED NUCLEAR POWER IN SOUTH AMERICA. MINISTER DIAZ BESSONE, FOR EXAMPLE, PRIVATELY CLAIMED TO DATT THAT ARGENTINA CANNOT AFFORD TO DO ANYTHING THAT WILL RESTRICT ITS CHANCES OR ENHANCE BRAZIL IN THE COMPETITION TO DEVELOP NUCLEAR POWER CAPABILITY.

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6. THE PERCEPTION AMONG THE MILITARY THAT NUCLEAR NON-PROLIFERATION, AND, MORE IMMEDIATELY, ARGENTINA'S RATIFICATION OF TLALELOLCO ARE MAJOR U.S. FOREIGN POLICY GOALS, HAS LED SOME MILITARY TO BELIEVE RATIFICATION CAN AND SHOULD BE USED AS A "BARGAINING CHIP" TO EXTRACT BETTER TREATMENT FROM THE U.S., PARTICULARLY OVER HUMAN RIGHTS QUESTIONS. THEY SEE THE U.S. MAKING CONCESSIONS AND SOFT-PEDALLING ON BRAZILIAN HUMAN RIGHTS VIOLATIONS IN ORDER TO INFLUENCE THAT COUNTRY'S NUCLEAR POWER PROGRAM, AND WOULD LIKE TO USE TLALELOLCO IN THE SAME WAY. OTHERS ADMIRE THE BRAZILIAN GOVERNMENT'S BLUNT NEGATIVE REACTION TO U.S. HUMAN RIGHTS PRESSURE AND ADVOCATE A SIMILAR AGGRESSIVELY NON-COOPERATIVE ATTITUDE FOR ARGENTINA ON MATTERS OF U.S. BILATERAL CONCERN.

7. OTHER OBJECTIONS TO RATIFICATION WERE REGISTERED BY THE CNEA ADVISORY COMMITTEE ON SAFE GUARDS WHICH REPORTED THAT ADHERENCE TO THE TREATY WOULD BRING A NUMBER OF DISADVANTAGES. THESE INCLUDE: THE FINANCIAL COST OF STAFFING AND MAINTAINING THE LARGE COMPLEX ADMINISTRATIVE MECHANISM FORESEEN IN THE TREATY; EXCESSIVE LAYERING OF INSPECTION REQUIREMENTS BEYOND THOSE LEVIED IN OTHER INTERNATIONAL AND BILATERAL NUCLEAR

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AGREEMENTS; AND THE POLITICAL INACCEPTABILITY OF HAVING GREAT BRITAIN BE A PARTY TO ADDITIONAL PROTOCOL I BY SIGNING FOR THE FALKLAND ISLANDS AS REQUIRED BY THE TREATY (PARAGRAPH 1.B OF ARTICLE 28). ARGENTINA DOES NOT RECOGNIZE BRITISH
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(25)(x1) SOVEREIGNTY OVER THE ISLANDS. [REDACTED]

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8. WHILE THE TLAZELOLCO TREATY -- AS MOST NUCLEAR QUESTIONS -- IS OF INTEREST TO ONLY A SMALL SECTOR OF THE PUBLIC, STRONG OPPOSITION FROM VOCAL MILITARY AND CIVILIAN INTEREST GROUPS AND THE GROWING AWARENESS OF NUCLEAR CAPABILITY AS AN IMPORTANT FOREIGN POLICY TOOL WILL MAKE RATIFICATION A COSTLY BUSINESS FOR THE VIDELA GOVERNMENT. SHOULD THE VIDELA GOVERNMENT OPT IN FAVOR OF RATIFICATION QUICKLY AND WITHOUT ANY APPARENT CONCESSION ON THE PART OF THE U.S., THE NAVY CAN BE EXPECTED TO FIND FAULT WITH THE DECISION AND USE IT TO PAINT ITSELF AS THE MAJOR DEFENDER OF THE COUNTRY'S SOVEREIGNTY. IT SHOULD ALSO BE POINTED OUT THAT EVEN SHOULD VIDELA AGREE TO RATIFICATION, THE ACTUAL PROCESS WOULD REQUIRE APPROVAL FROM THE LEGISLATIVE ADVISORY COMMISSION (CAL) AND A JUNTA DECREE. CAL HAS REJECTED GOVERNMENT-INTRODUCED PROPOSALS BEFORE AND OTHER GOVERNMENT AND MILITARY OFFICIALS, MOST PARTICULARLY ADMIRAL MASSERA, COULD, DESPITE THE MOST CAREFUL PREPARATIONS ON THE PART OF THE VIDELA GOVERNMENT, USE PUBLIC DOUBTS ON THE ISSUE FOR SELF-PROMOTING PROPAGANDA.

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